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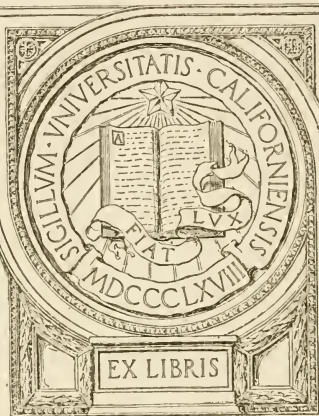
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STATE OF CALIFORNIA
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OFFICE OF STATE VETERINARIAN
CHARLES KEANE, D. V. S.

California Laws, Regulations, etc.

LAWS IN FORCE

IN THE

STATE OF CALIFORNIA

FOR THE

Prevention and Extirpation of Infectious
and Contagious Diseases
among Live Stock



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PREVENTION AND EXTIRPATION OF INFECTIOUS AND CONTAGIOUS DISEASES AMONG LIVE STOCK.

An act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this act, and to provide an appropriation therefor.

[Approved March 18, 1889. Amended, March 20, 1905; March 23, 1907; and March 19, 1909.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The office of state veterinarian of the State of California is hereby created. It shall be the duty of the governor, within sixty days after the passage of this act, to appoint a skilled veterinary surgeon for the State of California to fill said office of state veterinarian, who at the date of such appointment shall be a graduate in good standing of a recognized college of veterinary surgery legally qualified to practice as such in this state, and who shall hold office for a period of four years from and after the date of qualification. The salary of said state veterinarian shall be three thousand six hundred dollars per annum, payable at the same time and in the same manner as are the salaries of other state officers. Said state veterinarian shall also be allowed his necessary expenses incurred in the discharge of his duties as hereinafter provided. In making said appointment it shall be the duty of the governor to disregard political affiliations, and to be guided in his selection merely by the professional and moral qualifications of said veterinarian for the performance of his duties.

SEC. 2. It shall be the duty of the state veterinarian, provided for in the first section of this act, to protect the health of all live stock of the state from all contagious and infectious diseases, so far as practicable, and for the purpose he is hereby authorized and empowered, by and with the approval of the governor, to establish, maintain, and enforce such quarantine, sanitary, and other regulations as he may deem necessary as to live stock passing over any quarantine line existing, or which may be established within the state. Said state veterinarian is also hereby authorized and empowered, by and with the approval of the governor, to establish, maintain, and enforce such quarantine, sanitary, and other regulations as he may deem necessary as to live stock entering the state from other states and territories, and from foreign countries.

The governor is hereby authorized and empowered to appoint an assistant state veterinarian, who shall hold office for a period of four years from and after the date of his appointment, and whose salary shall be three thousand dollars per annum, said salary to be paid at the same time and in the same manner as are the salaries of other state officers. Said assistant state veterinarian shall also be allowed his necessary expenses incurred in the discharge of his duties.

SEC. 3. Upon information by him received of the existence of contagious or infectious diseases of domestic animals within this state, the state veterinarian shall proceed to thoroughly investigate the same, and

he is hereby authorized, by and with the approval of the governor, to establish such quarantine, sanitary and police regulation as may be necessary to circumscribe and exterminate such disease or diseases, and prevent the extension thereof, and he is hereby authorized and empowered to enter upon any grounds or premises and inspect any live stock necessary to carry out the provisions of this act.

SEC. 4. Upon the discovery of any case of such contagious or infectious disease, the state veterinarian shall immediately inform the board of supervisors of the county or counties in which said disease exists, or diseased animals are located, of the existence of such disease, and of such facts and circumstances in connection therewith as will enable said board of supervisors to take prompt and proper action to prevent the spread of such disease and to eradicate the same.

SEC. 5. Upon receipt of information as provided for in section four of this act, it shall be the duty of the board of supervisors to proceed immediately to eradicate or suppress said disease, to prevent its spread or introduction among healthy animals, or the infection of pastures, roads, places, or sections theretofore free from said disease and uninfected.

SEC. 6. Should said board of supervisors refuse or neglect for a period of five days, to take any or proper action to quarantine such cases of contagious or infectious disease so reported to them, or to suppress or eradicate the same, or prevent the spread thereof, the state veterinarian shall have the power, and it shall be his duty, to quarantine such county or counties, or such portions thereof as may be necessary, and thereafter it shall be unlawful for the owners of the live stock quarantined, their agents or employees, to move any of such live stock across the quarantine line established, or without the county or portion thereof quarantined, without first obtaining a permit from said state veterinarian, who shall before such permit is issued, inspect and if necessary cause such live stock and vehicles of transportation to be disinfected in accordance with the instructions of said state veterinarian, or until such quarantine has been raised or discontinued by said state veterinarian.

SEC. 7. The state veterinarian shall determine, from time to time, the quarantine and other regulations necessary to prevent the spread among live stock of any malignant, contagious, or infectious disease found to exist among the live stock of this state, and when he shall have done so he shall notify the governor thereof, who, if he approve, shall issue his proclamation proclaiming the boundaries of such quarantine, and the orders, rules and regulations prescribed for the maintenance and enforcement of such quarantine, and shall publish the same in such manner as he may deem expedient.

SEC. 7½. The state veterinarian of the State of California is hereby authorized and empowered to appoint one deputy state veterinarian, and one clerk. The salary of the deputy state veterinarian shall be eighteen hundred dollars per annum; the salary of the clerk shall be sixteen hundred dollars per annum. Said salaries shall be paid at the same time and in the same manner as are the salaries of other state officers. The deputy state veterinarian shall be allowed such necessary expenses as may be incurred in the discharge of his duties.

SEC. 8. Any person failing to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred nor more than

five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, and shall be liable for any damage or loss that may be sustained by any person or persons by reason of the failure of any owner or person in control of live stock to comply with the provisions of this act.

SEC. 9. This act shall take effect and be in force from and after its passage and approval.

An act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the state; to repeal an act entitled, "An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an act entitled, "An act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

[Approved June 4, 1913.]

SECTION 1. It shall be unlawful for any person, firm, company or corporation, their agents and servants, to bring into the State of California any horses, mules, asses, or cattle, unless such animals have been examined and found free from infectious or contagious diseases, which freedom from disease shall be established by a certificate of health signed by a regularly qualified and practicing veterinarian who is a graduate of a duly recognized and accredited veterinary college of good standing; *provided, however*, that in case of cattle over six months of age intended to be used for dairy or breeding purposes, said certificate of health shall also state and certify that each individual animal thereof has been personally and carefully inspected and subjected to a physical and clinical examination and also subjected to the tuberculin test, and that each individual animal thereof has been found free from any suspicious symptoms of tuberculosis, or of any infectious or contagious disease other than tuberculosis, and also that each individual animal thereof failed to react to the tuberculin test. Said certificate shall also include a complete temperature record of each animal during the period while undergoing the tuberculin test. The certificate of health and tuberculin test record, as provided for in this act, shall be in duplicate, one copy of which must be attached to the way bill of the shipment, and the other copy shall be forwarded to the state veterinarian of the State of California on the day the shipment is made; *provided, further*, that any person, firm, company or corporation, their agents and servants, wishing to bring cattle into the State of California for exhibition at fairs, may, by making application to the state veterinarian of the State of California, receive permission to bring such cattle into the State of California for such purpose without the tuberculin test as provided for herein, but in all such cases said permit must be attached to the way bill accompanying the shipment of such cattle; *and provided, further*, that in case any of such exhibition cattle are sold to remain in the State of California, they must be subjected to the tuberculin test and proved free from tuberculosis before being delivered to the purchaser. It is further

provided that cattle may be brought into the State of California for the purpose of slaughter for food, as well as for the purpose of fattening for such slaughter, without a certificate of inspection or tuberculin testing, except as may be otherwise provided. In every case where cattle are being brought into the state except as hereinbefore provided there shall also be attached to said certificate of health a certificate signed by the owner, or the consignor or shipper, certifying that no one of such animals had previously reacted to the tuberculin test within three months last past and that no one of such animals had been subjected to any other treatment designed to negative the action of the tuberculin test, and in every case where said cattle are brought into the State of California for the purpose of slaughter for food, or for the purpose of fattening for such slaughter, a certificate signed by the owner shall be attached to said way bill accompanying said shipment, stating correctly the purpose for which said cattle are to be used and where and by whom they are to be so used; and it shall be unlawful for any person, firm or corporation to make any false or incorrect statement as to any of the matters herein required to be set forth in said certificate and if said certificate be attached to said way bill it shall relieve any transportation company, its agents and employees from the penalties prescribed in this act, if said cattle should be brought into this state for purposes other than as set forth in said certificate.

SEC. 2. Any person, firm, company or corporation, their agents, servants and employees, that shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, or by imprisonment in the county jail for a term not exceeding one hundred and eighty days, or by both such fine and imprisonment.

SEC. 3. That certain act of the legislature of the State of California entitled, "An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911, is hereby expressly repealed.

SEC. 4. That certain act of the legislature of the State of California, entitled, "An act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911, is hereby expressly repealed.

SEC. 5. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

An act providing for the eradication of the disease known as scabies in sheep; providing for the duties of the state veterinarian in relation thereto; making certain acts in relation to sheep infected with such disease a misdemeanor; providing for a lien against such sheep for expenses and costs in the extermination of such disease; making certain persons liable for a violation of this act, and providing for the enforcement of said lien.

[Approved February 23, 1909.]

SECTION 1. Any person who shall knowingly sell, offer for sale, or expose in such a manner as may infect other sheep not so infected any

sheep infected with the disease known as scabies shall be guilty of a misdemeanor.

SEC. 2. Whenever, upon examination of any sheep located in any county of the State of California, the state veterinarian or his duly authorized deputy shall find such sheep or any portion of them to be infected with or to have been exposed to infection from the disease known as scabies he shall forthwith notify in writing the owner or person in control of said sheep to dip all of said sheep in a manner as directed by said officer for the purpose of eradicating said disease. Such owner or person in control of said sheep shall, within a period of ten days after receiving such notice, dip all of said sheep in a manner as directed by said officer.

SEC. 3. If, upon the expiration of ten days from the date on which notice was given to dip sheep as provided for in section two of this act, the owner or person in control of said sheep has failed to dip such sheep in accordance with the directions of said state veterinarian or his duly authorized deputy as also provided for in section two of this act, then said officer shall immediately take possession of said sheep and proceed to eradicate said disease of scabies by dipping said sheep one or more times as may be necessary.

SEC. 4. Whenever the state veterinarian or his duly authorized deputy has reason to believe that the disease known as scabies exists in a flock of sheep he shall notify the owner or person in control of such sheep to gather all of said sheep in a corral in order that such sheep may be examined and inspected by said officer for the purpose of ascertaining if any or all of said sheep are infected with scabies. And if such owner or person in control of said sheep refuses or neglects to gather all of said sheep in a corral for the purpose aforesaid, it shall be the duty of said officer to gather said sheep in a corral for the purpose aforesaid; and for this purpose he is hereby authorized and empowered to hire such necessary help as may be required to gather said sheep.

SEC. 5. All expenses and costs of dipping sheep as provided for in section three of this act, and all expenses and costs incurred in gathering sheep as provided for in section four of this act, shall become and remain a lien on said sheep until such lien is paid or foreclosed by law.

SEC. 6. If such lien is not paid within fifteen days after said expenses and costs have been incurred the state veterinarian shall, in the name of the people of the State of California, commence an action to foreclose said lien. Such action shall be commenced, tried, and determined in all respects as provided in the Code of Civil Procedure for the foreclosure of mortgages on personal property.

SEC. 7. In any action or proceeding, civil or criminal, arising under this act, any and all persons having an interest in the sheep or in control or possession of the same, and concerning which sheep such action or proceeding is had, shall be liable severally and jointly for each violation of the provisions of this act.

SEC. 8. This act shall take effect and be in force immediately.

An act providing for the extermination of the boophilus annulatus tick, defining certain crimes and providing for certain civil and criminal actions.

[Approved March 21, 1907; Amended February 23, 1909.]

SECTION 1. Any person who shall willfully or intentionally sell, offer for sale, or expose in such a manner as may infest other cattle or other live stock not so infested, any cattle having thereon or being infested with the boophilus annulatus tick, shall be guilty of a misdemeanor; *provided, however*, that the moving or handling of tick infested cattle, when same are to be immediately slaughtered and where said cattle are loaded on railroad cars at point of origin of said cattle, shall not be deemed to be a wilful or intentional exposing of such cattle as referred to in this section.

SEC. 1½. Whenever cattle infested with or exposed to the infestation of the boophilus annulatus tick are to be moved for the purpose of immediate slaughter, and where no provisions are made for the loading of such cattle directly into railroad cars at their point of origin, such cattle shall only be moved or allowed to move after said cattle have first been dipped or otherwise treated in a manner as directed by the state veterinarian or his duly authorized deputy.

SEC. 2. Whenever upon examination of any cattle located in any county of the State of California the state veterinarian or his duly authorized deputy shall find such cattle or any portion of them to be infested with the boophilus annulatus tick, he shall forthwith notify in writing the owner or person in control of such cattle to dip or otherwise treat all said cattle in a manner as directed by said state veterinarian or his duly authorized deputy for the purpose of eradicating such ticks. Such owner or person in control of such cattle shall, within a period of fifteen days after receiving such notice, dip or otherwise treat such cattle in a manner as directed by the state veterinarian or his duly authorized deputy for the purpose of so eradicating such tick.

SEC. 3. If upon examining said cattle after the expiration of said period of fifteen days the said state veterinarian or his duly authorized deputy shall find that said cattle have not been so dipped or otherwise treated in a manner as directed by said state veterinarian or his duly authorized deputy, such officer shall immediately notify the district attorney of the county in which such cattle may be located.

SEC. 4. If upon such second examination the state veterinarian or his duly authorized deputy shall find that said cattle have not been dipped or otherwise treated in a manner as directed by said state veterinarian or his duly authorized deputy for the purpose of eradicating and destroying said tick, said officer shall immediately take possession of said cattle and proceed to eradicate and destroy said tick by dipping or causing to be dipped or by otherwise treating said cattle.

SEC. 5. All the expenses and costs of so dipping and treating said cattle shall become and remain a lien on said cattle until such lien is paid or foreclosed as provided by law.

SEC. 6. If such lien is not paid within fifteen days after the said expenses and costs are incurred, then the state veterinarian shall, in the name of the people of the State of California, commence an action to foreclose said lien. Such action shall be commenced, tried and deter-

mined in all respects as provided in the Code of Civil Procedure for the foreclosure of mortgages on personal property.

SEC. 7. If however, upon examination at the end of fifteen days from the date on which the owner or person in control and possession of said cattle is given the notice required by section two of this act, the state veterinarian or his duly authorized deputy shall find that said cattle have been dipped or otherwise treated for the extermination of such ticks but are still infested with the same then he shall instruct the owner or person in possession of said cattle to dip or otherwise treat said cattle one or more time as the circumstances may demand, and within such time as the state veterinarian or his duly authorized deputy shall deem advisable.

SEC. 8. If upon examination at any time the said state veterinarian or his duly authorized deputy again finds that said cattle are again infested with said ticks or that the owner or person in control of said cattle has not continued to properly dip or otherwise treat said cattle for the purpose of destroying said ticks, then said state veterinarian or his duly authorized deputy shall take possession of said cattle one or more times as in this statute provided.

SEC. 9. In any action or proceeding, civil or criminal, arising under this act, any and all persons having an interest in the cattle or in control or possession of the same, and concerning which cattle such action or proceeding is had, shall be liable severally and jointly for each violation of the provisions of this act.

SEC. 10. Whenever the state veterinarian or his duly authorized deputy is satisfied that any cattle are in process of fattening, and that such cattle will be ready for slaughter within a period of one hundred and twenty days, he shall exempt such cattle from dipping, as provided in this act.

SEC. 11. All acts or parts of acts in conflict with this act are hereby repealed.

Using or exposing animals with glanders.

PENAL CODE, Section 402. Any person who shall knowingly sell, or offer for sale, or use, or expose, or who shall cause or procure to be sold, or offered for sale, or used, or expose any horse, mule or other animal having the disease known as glanders or farcy, or who shall bring, or cause to be brought, or aid in bringing into the state any sheep, hog, horse, or cattle, or any domestic animal knowing the same to be affected with any contagious or infectious disease, shall be guilty of a misdemeanor.

Animals having glanders or farcy to be killed.

PENAL CODE, Section 402*b*. Every animal having glanders or farcy shall at once be deprived of life by the owner or person having charge thereof, upon discovery or knowledge of its condition; and any such owner or person omitting or refusing to comply with the provisions of this section shall be guilty of a misdemeanor.

Animals affected with contagious diseases to be kept within enclosures.

PENAL CODE, Section 402*d*. Any person or persons, company or corporation, owning or having possession or control of any animal affected by any contagious or infectious disease, who shall fail to keep the same

within an enclosure, or herd the same in some place where they will be secure from contact with other animals of like kind not so affected, or who shall suffer such infected animals to be driven on the public highway or to range where they will be likely to come in contact with other animals not so affected, shall be guilty of a misdemeanor, and on conviction, punished by a fine of not more than five hundred dollars for each offense.

Making it a misdemeanor for any practitioner of veterinary medicine who fails to report to the State Veterinarian certain diseases among animals.

PENAL CODE, Section 402*e*. Any practitioner of veterinary medicine in the State of California who shall, upon gaining information thereof, fail to immediately report in writing to the state veterinarian the location, description, and name and address of the owner or person in charge, if known, of any animal or animals affected with any one of the following diseases: glanders, anthrax, blackleg, hog cholera, swine plague, verminous bronchitis, sheep scab, mycotic lymphangitis, aphthous fever, or Texas fever, shall be deemed guilty of a misdemeanor.

An act to prevent the spread of contagious diseases among animals.

[Approved March 20, 1905.]

Statutes of 1905, p. 317.

SECTION 1. Any person having the care, custody or control of any animal that dies from tuberculosis, glanders, farcy, Texas fever, or other infectious disease, shall immediately upon the death of such animal cremate or bury the same, or cause the same to be cremated or buried.

SEC. 2. Any common carrier of persons or freight that shall transport any animal suffering with or that has died from the diseases, or any of them, mentioned in section one of this act, a greater distance than is necessary to transport such animal to the nearest crematory, shall be deemed guilty of a misdemeanor.

SEC. 3. No animal that has died of any of the diseases named in section one of this act, shall be sold, used or permitted to be used for the food of human beings or sold, used or permitted to be used for the food of any domestic animal or fowl.

SEC. 4. Any person, firm or corporation that shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50.00 and not more than \$500.00 or by imprisonment in the county jail for a term not exceed one hundred and eighty days, or by both such fine and imprisonment.

SEC. 5. This act shall take effect immediately.

Deposit of dead animals in streets, rivers, etc.

PENAL CODE, Section 374. Every person who puts the carcass of any dead animal, or the offal from any slaughter-pen, corral, or butcher shop into any river, creek, pond, reservoir, stream, street, alley, public highway, or road in common use, or who attempts to destroy the same by fire within one fourth of a mile of any city, town, or village, except it be in a crematory, the construction and operation of which is satisfactory to the board of health of such city, town, or village; and every person who puts any water-closet or privy, or the carcass of any dead animal, or any offal of any kind, in or upon the borders of any stream, pond, lake, or reservoir, from which water is drawn for the supply of any portion of the inhabitants of this state, so that the drainage of such water-closet, privy, carcass or offal may be taken up by or in such stream, pond, lake, or reservoir, or who allows any water-closet or privy, or carcass of any dead animal, or of any offal of any kind, to remain in or upon the borders of any such stream, pond, lake, or reservoir within the boundaries of any land owned or occupied by him, so that the drainage from which such water-closet, privy, carcass, or offal, may be taken up by or in such stream, pond, lake, or reservoir; or who keeps any horses, mules, cattle, swine, sheep, or live stock of any kind, penned, corraled, or housed on, over, or on the borders of any stream, pond, lake, or reservoir, so that the waters thereof become polluted by reason thereof; or who bathes in any such stream, pond, lake or reservoir; or who by any other means fouls or pollutes the waters of any such stream, pond, lake, or reservoir, is guilty of a misdemeanor, and upon conviction thereof shall be punished as prescribed in section three hundred and seventy-seven.

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